

**EXHIBIT 3**



U. S. Department of Justice

United States Attorney  
Western District of Washington

Please reply to:  
Kyle A. Forsyth  
Assistant United States Attorney

700 Stewart Street, Suite 5220  
Seattle, WA 98101-1271  
[www.usdoj.gov/usao/waw](http://www.usdoj.gov/usao/waw)

Tel: (206) 553-7970  
Fax: (206) 553-0479

**Via First Class Mail**

April 7, 2016

Warden  
FCI Gilmer  
Federal Correctional Institution  
P.O. Box 5000  
Glenville, WV 26351

**RE: *United States vs. William S. Poff*, No.2:09-cr-00160-JLR-003  
U.S. District Court, Western District of Washington,  
Defendant/Inmate: William S. Poff, Register No. 14361-040**

Dear Warden:

We recently learned of an inmate trust account balance for Defendant/Inmate, William S. Poff, who owes an outstanding restitution balance of \$4,255,611.63 in the case referenced above. We respectfully request that you encumber his trust account, without giving prior notice to Mr. Poff, to prevent all outbound transactions that would reduce the balance below that \$4,255,611.63 amount. This request is consistent with the Bureau of Prisons' Program Statement 4500.11, Trust Fund/Deposit Fund Manual, specifically Section 8.8.

On October 12, 2010, the Court entered a Criminal Judgment against Mr. Poff for Bank and Wire Fraud and other related crimes. Mr. Poff was sentenced to 135 months in prison, followed by five years of supervised release, and ordered to pay a Special Assessment of \$3,000 and Restitution in the amount of \$4,258,529.13. Mr. Poff's outstanding restitution balance as of March 29, 2016, is \$4,255,611.63. Federal law provides that the Criminal Judgment creates a lien in favor of the United States against all of the Defendant's property. 18 U.S.C. § 3613(c). This lien attaches to the funds held in Mr. Poff's trust account, up to the amount of his outstanding restitution balance. *Id.* Further, 18 U.S.C. § 3664(n) states, "If a person obligated to provide restitution, or pay a fine, receives substantial resources from any source, including inheritance, settlement, or other judgment, *during a period of incarceration*, such person shall be required to apply the value of such resources to any restitution or fine still owed." (emphases added).

Our office is working to obtain an Order from the Court authorizing the Bureau of Prisons to surrender the trust account funds required to be applied to restitution still owed, pursuant to 18 U.S.C. § 3664(n). Until we obtain such an Order, the requested encumbrance of Mr. Poff's inmate trust account will preserve the funds necessary to be applied to his restitution as required by 18 U.S.C. § 3664(n).

**Warden - FCI Gilmer - RE: William S. Poff, Register No. 14361-040**

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Thank you for your cooperation and assistance with this matter.

Please feel free to contact me with any questions.

Sincerely,

ANNETTE L. HAYES  
United States Attorney



Kyle A. Forsyth  
Assistant United States Attorney

KAF:dehf

cc: L. Potter, Camp Administrator, FCI Gilmer, P.O. Box 5000, Glenville, WV 26351 -  
via First Class Mail;  
Robert Dobroski - via email: [rdobroski@bop.gov](mailto:rdobroski@bop.gov);  
Christine Barglof - via email: [cbarglof@bop.gov](mailto:cbarglof@bop.gov); &  
Karen Mullins - via email: [kmullins@bop.gov](mailto:kmullins@bop.gov)